

1 A bill to be entitled
 2 An act relating to the deregulation of professions and
 3 occupations; amending s. 326.004, F.S.; deleting the
 4 requirement for a yacht broker to maintain a separate
 5 license for each branch office; deleting the
 6 requirement for the division to establish a fee;
 7 amending s. 447.02, F.S.; conforming provisions;
 8 repealing s. 447.04, F.S., relating to licensure and
 9 permit requirements for business agents; repealing s.
 10 447.041, F.S., relating to hearings for persons or
 11 labor organizations denied licensure as a business
 12 agent; repealing s. 447.045, F.S., relating to
 13 confidential information obtained during the
 14 application process; repealing s. 447.06, F.S.,
 15 relating to required registration of labor
 16 organizations; amending s. 447.09, F.S.; deleting
 17 certain prohibited actions relating to the right of
 18 franchise of a member of a labor organization;
 19 repealing s. 447.12, F.S., relating to registration
 20 fees; repealing s. 447.16, F.S., relating to
 21 applicability; amending s. 447.305, F.S.; deleting a
 22 provision that requires notification of registrations
 23 and renewals to the department; amending s. 469.006,
 24 F.S.; revising licensure requirements for asbestos
 25 abatement consulting or contracting as a partnership,

26 corporation, business trust, or other legal entity;
27 amending s. 469.009, F.S.; conforming provisions;
28 amending s. 476.034, F.S.; defining the terms
29 "restricted barber" and "restricted barbering";
30 amending s. 476.114, F.S.; revising training
31 requirements for licensure as a barber; providing
32 requirements for licensure by examination as a
33 restricted barber; amending s. 476.144, F.S.;
34 requiring the department to license an applicant who
35 the board certifies is qualified to practice
36 restricted barbering; amending s. 477.013, F.S.;
37 revising and providing definitions; repealing s.
38 477.0132, F.S., relating to registration for hair
39 braiding, hair wrapping, and body wrapping; amending
40 s. 477.0135, F.S.; providing that licensure or
41 registration is not required for persons whose
42 occupation or practice is confined solely to hair
43 braiding, hair wrapping, body wrapping, nail
44 polishing, and makeup application; amending s.
45 477.019, F.S.; conforming provisions; amending s.
46 477.0201, F.S.; providing requirements for
47 registration as a nail specialist, facial specialist,
48 or full specialist; amending ss. 477.026, 477.0265,
49 and 477.029, F.S.; conforming provisions; amending s.
50 481.203, F.S.; defining the term "business

51 organization"; deleting the definition of the term
52 "certificate of authorization"; amending s. 481.219,
53 F.S.; revising the process by which a business
54 organization obtains the requisite license to perform
55 architectural services or interior design; requiring
56 that a licensee or an applicant apply to qualify a
57 business organization to practice architecture or
58 interior design; providing application requirements;
59 authorizing the Board of Architecture and Interior
60 Design to deny an application under certain
61 circumstances; providing notice requirements;
62 prohibiting a business organization from engaging in
63 certain practices until it is qualified by a
64 qualifying agent; authorizing the executive director
65 or the chair of the board to authorize a temporary
66 qualifying agent for a specified timeframe under
67 certain circumstances; requiring the board to allow an
68 applicant to qualify one or more business
69 organizations or to operate using a fictitious name
70 under certain circumstances; deleting a requirement
71 for the administration of disciplinary action against
72 a corporation, limited liability company, or
73 partnership conforming provisions to changes made by
74 the act; amending s. 481.221, F.S.; requiring a
75 business organization to include the license number of

76 a certain registered architect or interior designer in
77 any advertising; providing an exception; conforming
78 provisions to changes made by the act; amending s.
79 481.229, F.S.; conforming provisions to changes made
80 by the act; amending s. 481.303, F.S.; deleting the
81 definition of the term "certificate of authorization";
82 defining the terms "business organization" and
83 "qualifying agent"; amending ss. 481.311 and 481.317,
84 F.S.; conforming provisions; amending s. 481.319,
85 F.S.; deleting the requirement for a certificate of
86 authorization; authorizing landscape architects to
87 practice through a corporation or partnership;
88 amending s. 481.321, F.S.; revising requirements
89 related to the display of a certificate number;
90 amending s. 481.329, F.S.; conforming a cross-
91 reference; amending s. 287.055, F.S.; conforming a
92 provision; amending s. 492.104, F.S.; making
93 conforming and technical changes; amending s. 492.111,
94 F.S.; deleting the requirements for a certificate of
95 authorization for a professional geologist; amending
96 ss. 492.113 and 492.115, F.S.; conforming provisions;
97 amending s. 548.003, F.S.; deleting the requirement
98 that the Florida State Boxing Commission adopt rules
99 relating to a knockdown timekeeper; amending s.
100 548.017, F.S.; deleting the licensure requirement for

101 a timekeeper or announcer; providing an effective
 102 date.

103
 104 Be It Enacted by the Legislature of the State of Florida:

105
 106 Section 1. Subsection (13) of section 326.004, Florida
 107 Statutes, is amended to read:

108 326.004 Licensing.—

109 (13) Each broker must maintain a principal place of
 110 business in this state and may establish branch offices in the
 111 state. ~~A separate license must be maintained for each branch~~
 112 ~~office. The division shall establish by rule a fee not to exceed~~
 113 ~~\$100 for each branch office license.~~

114 Section 2. Subsection (3) of section 447.02, Florida
 115 Statutes, is amended to read:

116 447.02 Definitions.—The following terms, when used in this
 117 chapter, shall have the meanings ascribed to them in this
 118 section:

119 ~~(3) The term "department" means the Department of Business~~
 120 ~~and Professional Regulation.~~

121 Section 3. Section 447.04, Florida Statutes, is repealed.

122 Section 4. Section 447.041, Florida Statutes, is repealed.

123 Section 5. Section 447.045, Florida Statutes, is repealed.

124 Section 6. Section 447.06, Florida Statutes, is repealed.

125 Section 7. Subsections (6) and (8) of section 447.09,

126 Florida Statutes, are amended to read:

127 447.09 Right of franchise preserved; penalties.—It shall
128 be unlawful for any person:

129 ~~(6) To act as a business agent without having obtained and~~
130 ~~possessing a valid and subsisting license or permit.~~

131 ~~(8) To make any false statement in an application for a~~
132 ~~license.~~

133 Section 8. Section 447.12, Florida Statutes, is repealed.

134 Section 9. Section 447.16, Florida Statutes, is repealed.

135 Section 10. Subsection (4) of section 447.305, Florida
136 Statutes, is amended to read:

137 447.305 Registration of employee organization.—

138 ~~(4) Notification of registrations and renewals of~~
139 ~~registration shall be furnished at regular intervals by the~~
140 ~~commission to the Department of Business and Professional~~
141 ~~Regulation.~~

142 Section 11. Paragraphs (a) and (e) of subsection (2),
143 subsection (3), paragraph (b) of subsection (4), and subsection
144 (6) of section 469.006, Florida Statutes, are amended to read:

145 469.006 Licensure of business organizations; qualifying
146 agents.—

147 (2) (a) If the applicant proposes to engage in consulting
148 or contracting as a partnership, corporation, business trust, or
149 other legal entity, or in any name other than the applicant's
150 legal name, the ~~legal entity must apply for licensure through a~~

151 ~~qualifying agent or the~~ individual applicant must apply for
152 licensure under the ~~fictitious~~ name of the business
153 organization.

154 (e) ~~A The license, when issued upon application of a~~
155 ~~business organization,~~ must be in the name of the qualifying
156 agent business organization, and the name of the business
157 organization ~~qualifying agent~~ must be noted on the license
158 ~~thereon~~. If there is a change in any information that is
159 required to be stated on the application, the qualifying agent
160 ~~business organization~~ shall, within 45 days after such change
161 occurs, mail the correct information to the department.

162 (3) The qualifying agent must ~~shall~~ be licensed under this
163 chapter in order for the business organization to be qualified
164 ~~licensed~~ in the category of the business conducted for which the
165 qualifying agent is licensed. If any qualifying agent ceases to
166 be affiliated with such business organization, the agent shall
167 so inform the department. In addition, if such qualifying agent
168 is the only licensed individual affiliated with the business
169 organization, the business organization shall notify the
170 department of the termination of the qualifying agent and has
171 ~~shall have~~ 60 days after ~~from~~ the date of termination of the
172 qualifying agent's affiliation with the business organization ~~in~~
173 ~~which~~ to employ another qualifying agent. The business
174 organization may not engage in consulting or contracting until a
175 qualifying agent is employed, unless the department has granted

176 a temporary nonrenewable license to the financially responsible
177 officer, the president, the sole proprietor, a partner, or, in
178 the case of a limited partnership, the general partner, who
179 assumes all responsibilities of a primary qualifying agent for
180 the entity. This temporary license only allows ~~shall only allow~~
181 the entity to proceed with incomplete contracts.

182 (4)

183 (b) Upon a favorable determination by the department,
184 after investigation of the financial responsibility, credit, and
185 business reputation of the qualifying agent and the new business
186 organization, the department shall issue, without any
187 examination, a new license in the qualifying agent's business
188 ~~organization's~~ name, and the name of the business organization
189 ~~qualifying agent~~ shall be noted thereon.

190 (6) Each qualifying agent shall pay the department an
191 amount equal to the original fee for licensure ~~of a new business~~
192 ~~organization.~~ if the qualifying agent for a business
193 organization desires to qualify additional business
194 organizations. The department shall require the agent to
195 present evidence of supervisory ability and financial
196 responsibility of each such organization. Allowing a licensee to
197 qualify more than one business organization must ~~shall~~ be
198 conditioned upon the licensee showing that the licensee has both
199 the capacity and intent to adequately supervise each business
200 organization. The department may ~~shall~~ not limit the number of

201 business organizations that ~~which~~ the licensee may qualify
202 except upon the licensee's failure to provide such information
203 as is required under this subsection or upon a finding that the
204 ~~such~~ information or evidence ~~as is~~ supplied is incomplete or
205 unpersuasive in showing the licensee's capacity and intent to
206 comply with the requirements of this subsection. A qualification
207 for an additional business organization may be revoked or
208 suspended upon a finding by the department that the licensee has
209 failed in the licensee's responsibility to adequately supervise
210 the operations of the business organization. Failure to
211 adequately supervise the operations of a business organization
212 is ~~shall be~~ grounds for denial to qualify additional business
213 organizations.

214 Section 12. Subsection (1) of section 469.009, Florida
215 Statutes, is amended to read:

216 469.009 License revocation, suspension, and denial of
217 issuance or renewal.—

218 (1) The department may revoke, suspend, or deny the
219 issuance or renewal of a license; reprimand, censure, or place
220 on probation any contractor, consultant, or financially
221 responsible officer, ~~or business organization~~; require financial
222 restitution to a consumer; impose an administrative fine not to
223 exceed \$5,000 per violation; require continuing education; or
224 assess costs associated with any investigation and prosecution
225 if the contractor or consultant, or business organization or

226 | officer or agent thereof, is found guilty of any of the
 227 | following acts:

228 | (a) Willfully or deliberately disregarding or violating
 229 | the health and safety standards of the Occupational Safety and
 230 | Health Act of 1970, the Construction Safety Act, the National
 231 | Emission Standards for Asbestos, the Environmental Protection
 232 | Agency Asbestos Abatement Projects Worker Protection Rule, the
 233 | Florida Statutes or rules promulgated thereunder, or any
 234 | ordinance enacted by a political subdivision of this state.

235 | (b) Violating any provision of chapter 455.

236 | (c) Failing in any material respect to comply with the
 237 | provisions of this chapter or any rule promulgated hereunder.

238 | (d) Acting in the capacity of an asbestos contractor or
 239 | asbestos consultant under any license issued under this chapter
 240 | except in the name of the licensee as set forth on the issued
 241 | license.

242 | (e) Proceeding on any job without obtaining all applicable
 243 | approvals, authorizations, permits, and inspections.

244 | (f) Obtaining a license by fraud or misrepresentation.

245 | (g) Being convicted or found guilty of, or entering a plea
 246 | of nolo contendere to, regardless of adjudication, a crime in
 247 | any jurisdiction which directly relates to the practice of
 248 | asbestos consulting or contracting or the ability to practice
 249 | asbestos consulting or contracting.

250 | (h) Knowingly violating any building code, lifesafety

251 code, or county or municipal ordinance relating to the practice
252 of asbestos consulting or contracting.

253 (i) Performing any act which assists a person or entity in
254 engaging in the prohibited unlicensed practice of asbestos
255 consulting or contracting, if the licensee knows or has
256 reasonable grounds to know that the person or entity was
257 unlicensed.

258 (j) Committing mismanagement or misconduct in the practice
259 of contracting that causes financial harm to a customer.

260 Financial mismanagement or misconduct occurs when:

261 1. Valid liens have been recorded against the property of
262 a contractor's customer for supplies or services ordered by the
263 contractor for the customer's job; the contractor has received
264 funds from the customer to pay for the supplies or services; and
265 the contractor has not had the liens removed from the property,
266 by payment or by bond, within 75 days after the date of such
267 liens;

268 2. The contractor has abandoned a customer's job and the
269 percentage of completion is less than the percentage of the
270 total contract price paid to the contractor as of the time of
271 abandonment, unless the contractor is entitled to retain such
272 funds under the terms of the contract or refunds the excess
273 funds within 30 days after the date the job is abandoned; or

274 3. The contractor's job has been completed, and it is
275 shown that the customer has had to pay more for the contracted

276 | job than the original contract price, as adjusted for subsequent
277 | change orders, unless such increase in cost was the result of
278 | circumstances beyond the control of the contractor, was the
279 | result of circumstances caused by the customer, or was otherwise
280 | permitted by the terms of the contract between the contractor
281 | and the customer.

282 | (k) Being disciplined by any municipality or county for an
283 | act or violation of this chapter.

284 | (l) Failing in any material respect to comply with the
285 | provisions of this chapter, or violating a rule or lawful order
286 | of the department.

287 | (m) Abandoning an asbestos abatement project in which the
288 | asbestos contractor is engaged or under contract as a
289 | contractor. A project may be presumed abandoned after 20 days if
290 | the contractor terminates the project without just cause and
291 | without proper notification to the owner, including the reason
292 | for termination; if the contractor fails to reasonably secure
293 | the project to safeguard the public while work is stopped; or if
294 | the contractor fails to perform work without just cause for 20
295 | days.

296 | (n) Signing a statement with respect to a project or
297 | contract falsely indicating that the work is bonded; falsely
298 | indicating that payment has been made for all subcontracted
299 | work, labor, and materials which results in a financial loss to
300 | the owner, purchaser, or contractor; or falsely indicating that

301 workers' compensation and public liability insurance are
 302 provided.

303 (o) Committing fraud or deceit in the practice of asbestos
 304 consulting or contracting.

305 (p) Committing incompetency or misconduct in the practice
 306 of asbestos consulting or contracting.

307 (q) Committing gross negligence, repeated negligence, or
 308 negligence resulting in a significant danger to life or property
 309 in the practice of asbestos consulting or contracting.

310 (r) Intimidating, threatening, coercing, or otherwise
 311 discouraging the service of a notice to owner under part I of
 312 chapter 713 or a notice to contractor under chapter 255 or part
 313 I of chapter 713.

314 (s) Failing to satisfy, within a reasonable time, the
 315 terms of a civil judgment obtained against the licensee, or the
 316 business organization qualified by the licensee, relating to the
 317 practice of the licensee's profession.

318
 319 For the purposes of this subsection, construction is considered
 320 to be commenced when the contract is executed and the contractor
 321 has accepted funds from the customer or lender.

322 Section 13. Subsections (2) and (3) of section 476.034,
 323 Florida Statutes, are amended, and subsections (6) and (7) are
 324 added to that section, to read:

325 476.034 Definitions.—As used in this act:

326 (2) "Barbering" means any of the following practices when
 327 done for remuneration and for the public, but not when done for
 328 the treatment of disease or physical or mental ailments:
 329 shaving, cutting, trimming, coloring, shampooing, arranging,
 330 dressing, curling, or waving the hair or beard or applying oils,
 331 creams, lotions, or other preparations to the face, scalp, or
 332 neck, either by hand or by mechanical appliances, and includes
 333 any services defined as restricted barbering.

334 (3) "Barbershop" means any place of business wherein the
 335 practice of barbering or restricted barbering is carried on.

336 (6) "Restricted barber" means a person who is licensed to
 337 engage in the practice of restricted barbering in this state
 338 under the authority of this chapter and is subject to the same
 339 requirements and restrictions as a barber, except as
 340 specifically provided in s. 476.114.

341 (7) "Restricted barbering" means any of the following
 342 practices when done for remuneration and for the public, but not
 343 when done for the treatment of disease or physical or mental
 344 ailments:

345 (a) Hair cutting and styling, including the application of
 346 hair tonics and hair spray, but not including the application of
 347 other chemical preparations or solutions to the hair;

348 (b) Full facial shaves;

349 (c) Mustache and beard trimming; and

350 (d) Shampooing hair, including the application of shampoos

351 and conditioners and blow drying the hair.

352 Section 14. Section 476.114, Florida Statutes, is amended
353 to read:

354 476.114 Examination; prerequisites.—

355 (1) A person desiring to be licensed as a barber shall
356 apply to the department for licensure and—

357 ~~(2) An applicant~~ shall be eligible for licensure by
358 examination to practice barbering if the applicant:

359 (a) Is at least 16 years of age;

360 (b) Pays the required application fee; and

361 (c)1. Holds an active valid license to practice barbering
362 in another state, has held the license for at least 1 year, and
363 does not qualify for licensure by endorsement as provided for in
364 s. 476.144(5); or

365 2. Has received a minimum of 600 ~~1,200~~ hours of training
366 in sanitation, safety, and laws and rules, as established by the
367 board, which shall include, but shall not be limited to, the
368 equivalent of completion of services directly related to the
369 practice of barbering at one of the following:

370 a. A school of barbering licensed pursuant to chapter
371 1005;

372 b. A barbering program within the public school system; or

373 c. A government-operated barbering program in this state.

374

375 ~~The board shall establish by rule procedures whereby the school~~

376 ~~or program may certify that a person is qualified to take the~~
377 ~~required examination after the completion of a minimum of 1,000~~
378 ~~actual school hours. If the person passes the examination, she~~
379 ~~or he shall have satisfied this requirement; but if the person~~
380 ~~fails the examination, she or he shall not be qualified to take~~
381 ~~the examination again until the completion of the full~~
382 ~~requirements provided by this section.~~

383 (2) A person desiring to be licensed as a restricted
384 barber shall apply to the department for licensure and shall be
385 eligible for licensure by examination to practice restricted
386 barbering if the applicant:

387 (a) Is at least 16 years of age;

388 (b) Pays the required application fee; and

389 (c)1. Holds an active valid license to practice barbering
390 in another state, has held the license for at least 1 year, and
391 does not qualify for licensure by endorsement as provided for in
392 s. 476.144(5); or

393 2. Has received a minimum of 325 hours of training in
394 sanitation, safety, and laws and rules, as established by the
395 board, which shall include, but not be limited to, the
396 equivalent of completion of services directly related to the
397 practice of restricted barbering at one of the following:

398 a. A school of barbering licensed pursuant to chapter
399 1005;

400 b. A barbering program within the public school system; or

401 c. A government-operated barbering program in this state.

402 (3) An applicant who meets the requirements set forth in
 403 paragraph (1)(c)1. and 2. ~~subparagraphs (2)(c)1. and 2.~~ who
 404 fails to pass the examination may take subsequent examinations
 405 as many times as necessary to pass, except that the board may
 406 specify by rule reasonable timeframes for rescheduling the
 407 examination and additional training requirements for applicants
 408 who, after the third attempt, fail to pass the examination.
 409 Prior to reexamination, the applicant must file the appropriate
 410 form and pay the reexamination fee as required by rule.

411 Section 15. Subsections (1) and (6) of section 476.144,
 412 Florida Statutes, are amended to read:

413 476.144 Licensure.—

414 (1) The department shall license any applicant who the
 415 board certifies is qualified to practice barbering or restricted
 416 barbering in this state.

417 (6) A person may apply for a restricted license to
 418 practice barbering. The board shall adopt rules specifying
 419 procedures for an applicant to obtain a restricted license if
 420 the applicant:

421 (a)1. Has successfully completed a restricted barber
 422 course, as established by rule of the board, at a school of
 423 barbering licensed pursuant to chapter 1005, a barbering program
 424 within the public school system, or a government-operated
 425 barbering program in this state; or

426 2.a. Holds or has within the previous 5 years held an
 427 active valid license to practice barbering in another state or
 428 country or has held a Florida barbering license which has been
 429 declared null and void for failure to renew the license, and the
 430 applicant fulfilled the requirements of s. 476.114(2)(c)2. for
 431 initial licensure; and

432 b. Has not been disciplined relating to the practice of
 433 barbering in the previous 5 years; and

434 (b) Passes a written examination on the laws and rules
 435 governing the practice of barbering in Florida, as established
 436 by the board.

437
 438 ~~The restricted license shall limit the licensee's practice to~~
 439 ~~those specific areas in which the applicant has demonstrated~~
 440 ~~competence pursuant to rules adopted by the board.~~

441 Section 16. Subsections (6) and (9) of section 477.013,
 442 Florida Statutes, are amended to read:

443 477.013 Definitions.—As used in this chapter:

444 (6) "Specialty" means the practice of one or more of the
 445 following:

446 (a) "Nail specialty" means manicuring, or the cutting,
 447 polishing, tinting, coloring, cleansing, adding, or extending of
 448 the nails, and massaging of the hands. This term includes any
 449 procedure or process for the affixing of artificial nails,
 450 except those nails which may be applied solely by use of a

451 simple adhesive; and-

452 ~~(b)~~ pedicuring, or the shaping, polishing, tinting, or
453 cleansing of the nails of the feet, and massaging or beautifying
454 of the feet.

455 (b)(e) "Facial specialty" means facials, or the massaging
456 or treating of the face or scalp with oils, creams, lotions, or
457 other preparations, and skin care services.

458 (c) "Full specialty" means all services within the
459 definition of nail specialty and facial specialty, including
460 manicuring, pedicuring, and facial services.

461 (9) "Hair braiding" means the weaving or interweaving of
462 natural human hair or commercial hair, including the use of hair
463 extensions or wefts, for compensation without cutting, coloring,
464 permanent waving, relaxing, removing, or chemical treatment ~~and~~
465 ~~does not include the use of hair extensions or wefts.~~

466 Section 17. Section 477.0132, Florida Statutes, is
467 repealed.

468 Section 18. Subsections (7), (8), (9), (10), and (11) are
469 added to section 477.0135, Florida Statutes, to read:

470 477.0135 Exemptions.—

471 (7) A license or registration is not required for a person
472 whose occupation or practice is confined solely to hair braiding
473 as defined in s. 477.013(9).

474 (8) A license or registration is not required for a person
475 whose occupation or practice is confined solely to hair wrapping

476 as defined in s. 477.013(10).

477 (9) A license or registration is not required for a person
478 whose occupation or practice is confined solely to body wrapping
479 as defined in s. 477.013(12).

480 (10) A license or registration is not required for a
481 person whose occupation or practice is confined solely to adding
482 polish to fingernails and toenails.

483 (11) A license or registration is not required for a
484 person whose occupation or practice is confined solely to makeup
485 application.

486 Section 19. Paragraph (b) of subsection (7) of section
487 477.019, Florida Statutes, is amended to read:

488 477.019 Cosmetologists; qualifications; licensure;
489 supervised practice; license renewal; endorsement; continuing
490 education.—

491 (7)

492 ~~(b) Any person whose occupation or practice is confined~~
493 ~~solely to hair braiding, hair wrapping, or body wrapping is~~
494 ~~exempt from the continuing education requirements of this~~
495 ~~subsection.~~

496 Section 20. Subsections (2) through (6) of section
497 477.0201, Florida Statutes, are renumbered as subsections (4)
498 through (8), respectively, subsection (1) is amended, and new
499 subsections (2) and (3) are added to that section, to read:

500 477.0201 Specialty registration; qualifications;

501 registration renewal; endorsement.—

502 (1) Any person is qualified for registration as a
 503 specialist in a nail ~~any one or more of the specialty practice~~
 504 ~~practices~~ within the practice of cosmetology under this chapter
 505 who:

506 (a) Is at least 16 years of age or has received a high
 507 school diploma.

508 (b) Has received a minimum of 150 hours of training as
 509 established by the board, which shall focus primarily on
 510 sanitation and safety and shall include, but shall not be
 511 limited to, the equivalent of completion of services directly
 512 related to the practice of a nail ~~certificate of completion in a~~
 513 specialty pursuant to s. 477.013(6) (a) ~~477.013(6)~~ from one of
 514 the following:

- 515 1. A school licensed pursuant to s. 477.023.
- 516 2. A school licensed pursuant to chapter 1005 or the
 517 equivalent licensing authority of another state.
- 518 3. A specialty program within the public school system.
- 519 4. A specialty division within the Cosmetology Division of
 520 the Florida School for the Deaf and the Blind, provided the
 521 training programs comply with minimum curriculum requirements
 522 established by the board.

523 (2) Any person is qualified for registration as a
 524 specialist in a facial specialty practice within the practice of
 525 cosmetology under this chapter who:

526 (a) Is at least 16 years of age or has received a high
 527 school diploma.

528 (b) Has received a minimum of 165 hours of training as
 529 established by the board, which shall focus on sanitation and
 530 safety and shall include, but not be limited to, the equivalent
 531 of completion of services directly related to the practice of
 532 facial specialty pursuant to s. 477.013(6) (b) from one of the
 533 following:

534 1. A school licensed pursuant to s. 477.023.

535 2. A school licensed pursuant to chapter 1005 or the
 536 equivalent licensing authority of another state.

537 3. A specialty program within the public school system.

538 4. A specialty division within the Cosmetology Division of
 539 the Florida School for the Deaf and the Blind, provided the
 540 training programs comply with minimum curriculum requirements
 541 established by the board.

542 (3) Any person is qualified for registration as a
 543 specialist in a full specialty practice within the practice of
 544 cosmetology under this chapter who:

545 (a) Is at least 16 years of age or has received a high
 546 school diploma.

547 (b) Has received a minimum of 300 hours of training as
 548 established by the board, which shall focus primarily on
 549 sanitation and safety and shall include, but not be limited to,
 550 the equivalent of completion of services directly related to the

551 practice of full specialty pursuant to s. 477.013(6)(c) from one
552 of the following:

553 1. A school licensed pursuant to s. 477.023.

554 2. A school licensed pursuant to chapter 1005 or the
555 equivalent licensing authority of another state.

556 3. A specialty program within the public school system.

557 4. A specialty division within the Cosmetology Division of
558 the Florida School for the Deaf and the Blind, provided the
559 training programs comply with minimum curriculum requirements
560 established by the board.

561 Section 21. Paragraph (f) of subsection (1) of section
562 477.026, Florida Statutes, is amended to read:

563 477.026 Fees; disposition.—

564 (1) The board shall set fees according to the following
565 schedule:

566 ~~(f) For hair braiders, hair wrappers, and body wrappers,~~
567 ~~fees for registration shall not exceed \$25.~~

568 Section 22. Paragraph (f) of subsection (1) of section
569 477.0265, Florida Statutes, is amended to read:

570 477.0265 Prohibited acts.—

571 (1) It is unlawful for any person to:

572 (f) Advertise or imply that skin care services ~~or body~~
573 ~~wrapping~~, as performed under this chapter, have any relationship
574 to the practice of massage therapy as defined in s. 480.033(3),
575 except those practices or activities defined in s. 477.013.

576 Section 23. Paragraph (a) of subsection (1) of section
577 477.029, Florida Statutes, is amended to read:

578 477.029 Penalty.—

579 (1) It is unlawful for any person to:

580 (a) Hold himself or herself out as a cosmetologist or,
581 ~~specialist, hair wrapper, hair braider, or body wrapper~~ unless
582 duly licensed or registered, or otherwise authorized, as
583 provided in this chapter.

584 Section 24. Subsection (5) of section 481.203, Florida
585 Statutes, is amended to read:

586 481.203 Definitions.—As used in this part:

587 (5) "Business organization" means a partnership, a limited
588 liability company, a corporation, or an individual operating
589 under a fictitious name ~~"Certificate of authorization" means a~~
590 ~~certificate issued by the department to a corporation or~~
591 ~~partnership to practice architecture or interior design.~~

592 Section 25. Section 481.219, Florida Statutes, is amended
593 to read:

594 481.219 Business organization; qualifying agents
595 ~~Certification of partnerships, limited liability companies, and~~
596 ~~corporations.—~~

597 (1) A licensee may ~~The practice of or the offer to~~
598 practice architecture or interior design ~~by licensees~~ through a
599 business organization that offers ~~corporation, limited liability~~
600 ~~company, or partnership offering~~ architectural or interior

601 design services to the public, or through ~~by~~ a business
602 organization that offers ~~corporation, limited liability company,~~
603 ~~or partnership offering~~ architectural or interior design
604 services to the public through such licensees ~~under this part~~ as
605 agents, employees, officers, or partners, ~~is permitted, subject~~
606 ~~to the provisions of this section.~~

607 (2) If a licensee or an applicant proposes to engage in
608 the practice of architecture or interior design as a business
609 organization, the licensee or applicant must apply to qualify
610 the business organization ~~For the purposes of this section, a~~
611 ~~certificate of authorization shall be required for a~~
612 ~~corporation, limited liability company, partnership, or person~~
613 ~~practicing under a fictitious name, offering architectural~~
614 ~~services to the public jointly or separately. However, when an~~
615 ~~individual is practicing architecture in her or his own name,~~
616 ~~she or he shall not be required to be certified under this~~
617 ~~section. Certification under this subsection to offer~~
618 ~~architectural services shall include all the rights and~~
619 ~~privileges of certification under subsection (3) to offer~~
620 ~~interior design services.~~

621 (a) An application to qualify a business organization
622 must:

623 1. If the business is a partnership, state the names of
624 the partnership and its partners.

625 2. If the business is a corporation, state the names of

626 the corporation and its officers and directors and the name of
627 each of its stockholders who is also an officer or a director.

628 3. If the business is operating under a fictitious name,
629 state the fictitious name under which it is doing business.

630 4. If the business is not a partnership, a corporation, or
631 operating under a fictitious name, state the name of such other
632 legal entity and its members.

633 (b) The board may deny an application to qualify a
634 business organization if the applicant or any person required to
635 be named pursuant to paragraph (a) has been involved in past
636 disciplinary actions or on any grounds for which an individual
637 registration or certification may be denied.

638 (3) (a) A business organization may not engage in the
639 practice of architecture unless its qualifying agent is a
640 registered architect under this part. A business organization
641 may not engage in the practice of interior design unless its
642 qualifying agent is a registered architect or a registered
643 interior designer under this part. A qualifying agent who
644 terminates her or his affiliation with a business organization
645 shall immediately notify the department of such termination. If
646 the qualifying agent who terminates her or his affiliation is
647 the only qualifying agent for a business organization, the
648 business organization must be qualified by another qualifying
649 agent within 60 days after the termination. Except as provided
650 in paragraph (b), the business organization may not engage in

651 the practice of architecture or interior design until it is
652 qualified by a qualifying agent.

653 (b) In the event a qualifying architect or interior
654 designer ceases employment with the business organization, the
655 executive director or the chair of the board may authorize
656 another registered architect or interior designer employed by
657 the business organization to temporarily serve as its qualifying
658 agent for a period of no more than 60 days. The business
659 organization is not authorized to operate beyond such period
660 under this chapter absent replacement of the qualifying
661 architect or interior designer who has ceased employment.

662 (c) A qualifying agent shall notify the department in
663 writing before engaging in the practice of architecture or
664 interior design in her or his own name or in affiliation with a
665 different business organization, and she or he or such business
666 organization shall supply the same information to the department
667 as required of applicants under this part ~~For the purposes of~~
668 ~~this section, a certificate of authorization shall be required~~
669 ~~for a corporation, limited liability company, partnership, or~~
670 ~~person operating under a fictitious name, offering interior~~
671 ~~design services to the public jointly or separately. However,~~
672 ~~when an individual is practicing interior design in her or his~~
673 ~~own name, she or he shall not be required to be certified under~~
674 ~~this section.~~

675 (4) All final construction documents and instruments of

676 service which include drawings, specifications, plans, reports,
 677 or other papers or documents that involve ~~involving~~ the practice
 678 of architecture which are prepared or approved for the use of
 679 the business organization ~~corporation, limited liability~~
 680 ~~company, or partnership~~ and filed for public record within the
 681 state must ~~shall~~ bear the signature and seal of the licensee who
 682 prepared or approved them and the date on which they were
 683 sealed.

684 (5) All drawings, specifications, plans, reports, or other
 685 papers or documents prepared or approved for the use of the
 686 business organization ~~corporation, limited liability company, or~~
 687 ~~partnership~~ by an interior designer in her or his professional
 688 capacity and filed for public record within the state must ~~shall~~
 689 bear the signature and seal of the licensee who prepared or
 690 approved them and the date on which they were sealed.

691 ~~(6) The department shall issue a certificate of~~
 692 ~~authorization to any applicant who the board certifies as~~
 693 ~~qualified for a certificate of authorization and who has paid~~
 694 ~~the fee set in s. 481.207.~~

695 (6)(7) The board shall allow ~~certify~~ an applicant to
 696 qualify one or more business organizations ~~as qualified for a~~
 697 ~~certificate of authorization~~ to offer architectural or interior
 698 design services, or to use a fictitious name to offer such
 699 services, if one of the following criteria is met ~~provided that:~~

700 (a) One or more of the principal officers of the

701 corporation or limited liability company, or one or more
702 partners of the partnership, and all personnel of the
703 corporation, limited liability company, or partnership who act
704 in its behalf in this state as architects, are registered as
705 provided by this part.~~7~~~~or~~

706 (b) One or more of the principal officers of the
707 corporation or one or more partners of the partnership, and all
708 personnel of the corporation, limited liability company, or
709 partnership who act in its behalf in this state as interior
710 designers, are registered as provided by this part.

711 ~~(8) The department shall adopt rules establishing a~~
712 ~~procedure for the biennial renewal of certificates of~~
713 ~~authorization.~~

714 ~~(9) The department shall renew a certificate of~~
715 ~~authorization upon receipt of the renewal application and~~
716 ~~biennial renewal fee.~~

717 ~~(7)~~~~(10)~~ Each qualifying agent approved to qualify a
718 business organization ~~partnership, limited liability company,~~
719 ~~and corporation certified~~ under this section shall notify the
720 department within 30 days after ~~of~~ any change in the information
721 contained in the application upon which the qualification
722 ~~certification~~ is based. Any registered architect or interior
723 designer who qualifies the business organization shall ensure
724 ~~corporation, limited liability company, or partnership as~~
725 ~~provided in subsection (7)~~ shall be responsible for ensuring

726 responsible supervising control of projects of the business
727 organization ~~entity~~ and shall notify the department of the ~~upon~~
728 termination of her or his employment with a business
729 organization qualified partnership, limited liability company,
730 ~~or corporation~~ certified under this section ~~shall notify the~~
731 ~~department of the termination~~ within 30 days after such
732 termination.

733 (8) ~~(11)~~ A business organization is not ~~No corporation,~~
734 ~~limited liability company, or partnership~~ shall be relieved of
735 responsibility for the conduct or acts of its agents, employees,
736 or officers by reason of its compliance with this section.
737 However, except as provided in s. 558.0035, the architect who
738 signs and seals the construction documents and instruments of
739 service is ~~shall be~~ liable for the professional services
740 performed, and the interior designer who signs and seals the
741 interior design drawings, plans, or specifications is ~~shall be~~
742 liable for the professional services performed.

743 ~~(12)~~ ~~Disciplinary action against a corporation, limited~~
744 ~~liability company, or partnership shall be administered in the~~
745 ~~same manner and on the same grounds as disciplinary action~~
746 ~~against a registered architect or interior designer,~~
747 ~~respectively.~~

748 (9) ~~(13)~~ ~~Nothing in~~ This section may not ~~shall~~ be construed
749 to mean that a certificate of registration to practice
750 architecture or interior design must ~~shall~~ be held by a business

751 organization ~~corporation, limited liability company, or~~
752 ~~partnership~~. Nothing in This section does not prohibit a
753 business organization from offering ~~prohibits corporations,~~
754 ~~limited liability companies, and partnerships from joining~~
755 ~~together to offer~~ architectural, engineering, interior design,
756 surveying and mapping, and landscape architectural services, or
757 any combination of such services, to the public if the business
758 organization, ~~provided that each corporation, limited liability~~
759 ~~company, or partnership~~ otherwise meets the requirements of law.

760 ~~(10)-(14)~~ A business organization that is qualified by a
761 registered architect may ~~Corporations, limited liability~~
762 ~~companies, or partnerships holding a valid certificate of~~
763 ~~authorization to practice architecture shall be permitted to use~~
764 ~~in their title~~ the term "interior designer" or "registered
765 interior designer" in its title. ~~designer."~~

766 Section 26. Subsection (10) of section 481.221, Florida
767 Statutes, is amended to read:

768 481.221 Seals; display of certificate number.—

769 (10) Each registered architect or interior designer must,
770 ~~and each corporation, limited liability company, or partnership~~
771 ~~holding a certificate of authorization, shall include her or his~~
772 license ~~its certificate~~ number in any newspaper, telephone
773 directory, or other advertising medium used by the registered
774 licensee ~~architect, interior designer, corporation, limited~~
775 ~~liability company, or partnership.~~ Each business organization

776 must include the license number of the registered architect or
777 interior designer who serves as the qualifying agent for that
778 business organization in any newspaper, telephone directory, or
779 other advertising medium used by the business organization, but
780 is not required to display the license numbers of other
781 registered architects or interior designers employed by the
782 business organization ~~A corporation, limited liability company,~~
783 ~~or partnership is not required to display the certificate number~~
784 ~~of individual registered architects or interior designers~~
785 ~~employed by or working within the corporation, limited liability~~
786 ~~company, or partnership.~~

787 Section 27. Paragraphs (a) and (c) of subsection (5) of
788 section 481.229, Florida Statutes, are amended to read:

789 481.229 Exceptions; exemptions from licensure.—

790 (5) (a) ~~Nothing contained in~~ This part does not prohibit
791 ~~shall prevent~~ a registered architect or a qualified business
792 organization ~~partnership, limited liability company, or~~
793 ~~corporation holding a valid certificate of authorization to~~
794 ~~provide architectural services~~ from performing any interior
795 design service or from using the title "interior designer" or
796 "registered interior designer."

797 (c) Notwithstanding any other provision of this part, a
798 registered architect or qualified business organization
799 certified ~~any corporation, partnership, or person operating~~
800 ~~under a fictitious name which holds a certificate of~~

801 ~~authorization to provide architectural services must ~~shall~~ be~~
 802 ~~qualified, without fee, for a certificate of authorization to~~
 803 ~~provide interior design services upon submission of a completed~~
 804 ~~application for qualification therefor. For corporations,~~
 805 ~~partnerships, and persons operating under a fictitious name~~
 806 ~~which hold a certificate of authorization to provide interior~~
 807 ~~design services, satisfaction of the requirements for renewal of~~
 808 ~~the certificate of authorization to provide architectural~~
 809 ~~services under s. 481.219 shall be deemed to satisfy the~~
 810 ~~requirements for renewal of the certificate of authorization to~~
 811 ~~provide interior design services under that section.~~

812 Section 28. Section 481.303, Florida Statutes, is amended
 813 to read:

814 481.303 Definitions.—As used in this chapter, the term:

815 (1) "Board" means the Board of Landscape Architecture.

816 (2) "Business organization" means any partnership, limited
 817 liability company, corporation, or individual operating under a
 818 fictitious name.

819 (3)~~(4)~~ "Certificate of registration" means a license
 820 issued by the department to a natural person to engage in the
 821 practice of landscape architecture.

822 (4)~~(2)~~ "Department" means the Department of Business and
 823 Professional Regulation.

824 ~~(5) "Certificate of authorization" means a license issued~~
 825 ~~by the department to a corporation or partnership to engage in~~

826 | ~~the practice of landscape architecture.~~

827 | (5)~~(6)~~ "Landscape architecture" means professional
828 | services, including, but not limited to, the following:

829 | (a) Consultation, investigation, research, planning,
830 | design, preparation of drawings, specifications, contract
831 | documents and reports, responsible construction supervision, or
832 | landscape management in connection with the planning and
833 | development of land and incidental water areas, including the
834 | use of Florida-friendly landscaping as defined in s. 373.185,
835 | where, and to the extent that, the dominant purpose of such
836 | services or creative works is the preservation, conservation,
837 | enhancement, or determination of proper land uses, natural land
838 | features, ground cover and plantings, or naturalistic and
839 | aesthetic values;

840 | (b) The determination of settings, grounds, and approaches
841 | for and the siting of buildings and structures, outdoor areas,
842 | or other improvements;

843 | (c) The setting of grades, shaping and contouring of land
844 | and water forms, determination of drainage, and provision for
845 | storm drainage and irrigation systems where such systems are
846 | necessary to the purposes outlined herein; and

847 | (d) The design of such tangible objects and features as
848 | are necessary to the purpose outlined herein.

849 | (6)~~(7)~~ "Landscape design" means consultation for and
850 | preparation of planting plans drawn for compensation, including

851 specifications and installation details for plant materials,
852 soil amendments, mulches, edging, gravel, and other similar
853 materials. Such plans may include only recommendations for the
854 conceptual placement of tangible objects for landscape design
855 projects. Construction documents, details, and specifications
856 for tangible objects and irrigation systems shall be designed or
857 approved by licensed professionals as required by law.

858 (7) "Qualifying agent" means an owner, officer, or
859 director of the corporation, or partner of the partnership, who
860 is responsible for the supervision, direction, and management of
861 projects of the business organization with which she or he is
862 affiliated and for ensuring that responsible supervising control
863 is being exercised.

864 (8)-(3) "Registered landscape architect" means a person who
865 holds a license to practice landscape architecture in this state
866 under the authority of this act.

867 Section 29. Subsection (4) of section 481.311, Florida
868 Statutes, is amended to read:

869 481.311 Licensure.—

870 ~~(4) The board shall certify as qualified for a certificate~~
871 ~~of authorization any applicant corporation or partnership who~~
872 ~~satisfies the requirements of s. 481.319.~~

873 Section 30. Subsection (2) of section 481.317, Florida
874 Statutes, is amended to read:

875 481.317 Temporary certificates.—

876 ~~(2) Upon approval by the board and payment of the fee set~~
877 ~~in s. 481.307, the department shall grant a temporary~~
878 ~~certificate of authorization for work on one specified project~~
879 ~~in this state for a period not to exceed 1 year to an out-of-~~
880 ~~state corporation, partnership, or firm, provided one of the~~
881 ~~principal officers of the corporation, one of the partners of~~
882 ~~the partnership, or one of the principals in the fictitiously~~
883 ~~named firm has obtained a temporary certificate of registration~~
884 ~~in accordance with subsection (1).~~

885 Section 31. Section 481.319, Florida Statutes, is amended
886 to read:

887 481.319 Corporate and partnership practice of landscape
888 architecture; ~~certificate of authorization.~~-

889 (1) The practice of or offer to practice landscape
890 architecture by registered landscape architects registered under
891 this part through a corporation or partnership offering
892 landscape architectural services to the public, or through a
893 corporation or partnership offering landscape architectural
894 services to the public through individual registered landscape
895 architects as agents, employees, officers, or partners, is
896 permitted, subject to the provisions of this section, if:

897 (a) One or more of the principal officers of the
898 corporation, or partners of the partnership, and all personnel
899 of the corporation or partnership who act in its behalf as
900 landscape architects in this state are registered landscape

901 architects; and

902 (b) One or more of the officers, one or more of the
903 directors, one or more of the owners of the corporation, or one
904 or more of the partners of the partnership is a registered
905 landscape architect and has applied to be the qualifying agent
906 for the business organization; ~~and~~

907 ~~(c) The corporation or partnership has been issued a~~
908 ~~certificate of authorization by the board as provided herein.~~

909 (2) All documents involving the practice of landscape
910 architecture which are prepared for the use of the corporation
911 or partnership shall bear the signature and seal of a registered
912 landscape architect.

913 (3) A landscape architect applying to practice in the name
914 of a ~~An applicant~~ corporation must shall file with the
915 department the names and addresses of all officers and board
916 members of the corporation, including the principal officer or
917 officers, duly registered to practice landscape architecture in
918 this state and, also, of all individuals duly registered to
919 practice landscape architecture in this state who shall be in
920 responsible charge of the practice of landscape architecture by
921 the corporation in this state. A landscape architect applying to
922 practice in the name of a ~~An applicant~~ partnership must shall
923 file with the department the names and addresses of all partners
924 of the partnership, including the partner or partners duly
925 registered to practice landscape architecture in this state and,

926 | also, of an individual or individuals duly registered to
 927 | practice landscape architecture in this state who shall be in
 928 | responsible charge of the practice of landscape architecture by
 929 | said partnership in this state.

930 | (4) Each landscape architect qualifying a partnership or
 931 | ~~and corporation licensed~~ under this part must ~~shall~~ notify the
 932 | department within 1 month after ~~of~~ any change in the information
 933 | contained in the application upon which the license is based.
 934 | Any landscape architect who terminates her or his ~~or her~~
 935 | employment with a partnership or corporation licensed under this
 936 | part shall notify the department of the termination within 1
 937 | month after such termination.

938 | ~~(5) Disciplinary action against a corporation or~~
 939 | ~~partnership shall be administered in the same manner and on the~~
 940 | ~~same grounds as disciplinary action against a registered~~
 941 | ~~landscape architect.~~

942 | (5) ~~(6)~~ Except as provided in s. 558.0035, the fact that a
 943 | registered landscape architect practices landscape architecture
 944 | through a corporation or partnership as provided in this section
 945 | does not relieve the landscape architect from personal liability
 946 | for her or his ~~or her~~ professional acts.

947 | Section 32. Subsection (5) of section 481.321, Florida
 948 | Statutes, is amended to read:

949 | 481.321 Seals; display of certificate number.—

950 | (5) Each registered landscape architect must ~~and each~~

951 ~~corporation or partnership holding a certificate of~~
 952 ~~authorization shall~~ include her or his ~~its~~ certificate number in
 953 any newspaper, telephone directory, or other advertising medium
 954 used by the registered landscape architect, corporation, or
 955 partnership. A corporation or partnership must ~~is not required~~
 956 ~~to~~ display the certificate number ~~numbers~~ of at least one
 957 officer, director, owner, or partner who is a individual
 958 registered landscape architect ~~architects~~ employed by or
 959 practicing with the corporation or partnership.

960 Section 33. Subsection (5) of section 481.329, Florida
 961 Statutes, is amended to read:

962 481.329 Exceptions; exemptions from licensure.—

963 (5) This part does not prohibit any person from engaging
 964 in the practice of landscape design, as defined in s. 481.303(6)
 965 ~~481.303(7)~~, or from submitting for approval to a governmental
 966 agency planting plans that are independent of, or a component
 967 of, construction documents that are prepared by a Florida-
 968 registered professional. Persons providing landscape design
 969 services shall not use the title, term, or designation
 970 "landscape architect," "landscape architectural," "landscape
 971 architecture," "L.A.," "landscape engineering," or any
 972 description tending to convey the impression that she or he is a
 973 landscape architect unless she or he is registered as provided
 974 in this part.

975 Section 34. Paragraph (h) of subsection (2) of section

976 | 287.055, Florida Statutes, is amended to read:

977 | 287.055 Acquisition of professional architectural,
978 | engineering, landscape architectural, or surveying and mapping
979 | services; definitions; procedures; contingent fees prohibited;
980 | penalties.—

981 | (2) DEFINITIONS.—For purposes of this section:

982 | (h) A "design-build firm" means a partnership,
983 | corporation, or other legal entity that:

984 | 1. Is certified under s. 489.119 to engage in contracting
985 | through a certified or registered general contractor or a
986 | certified or registered building contractor as the qualifying
987 | agent; or

988 | 2. Is certified under s. 471.023 to practice or to offer
989 | to practice engineering; qualified ~~certified~~ under s. 481.219 to
990 | practice or to offer to practice architecture; or qualified
991 | ~~certified~~ under s. 481.319 to practice or to offer to practice
992 | landscape architecture.

993 | Section 35. Section 492.104, Florida Statutes, is amended
994 | to read:

995 | 492.104 Rulemaking authority.—The Board of Professional
996 | Geologists may ~~has authority to~~ adopt rules pursuant to ss.
997 | 120.536(1) and 120.54 to implement this chapter. Every licensee
998 | shall be governed and controlled by this chapter and the rules
999 | adopted by the board. The board may establish ~~is authorized to~~
1000 | ~~set~~, by rule, fees for application, examination, ~~certificate of~~

1001 ~~authorization,~~ late renewal, initial licensure, and license
 1002 renewal. These fees may ~~should~~ not exceed the cost of
 1003 implementing the application, examination, initial licensure,
 1004 and license renewal or other administrative process and are
 1005 ~~shall be~~ established as follows:

1006 (1) The application fee may ~~shall~~ not exceed \$150 and is
 1007 ~~shall be~~ nonrefundable.

1008 (2) The examination fee may ~~shall~~ not exceed \$250, and the
 1009 fee may be apportioned to each part of a multipart examination.
 1010 The examination fee shall be refundable in whole or part if the
 1011 applicant is found to be ineligible to take any portion of the
 1012 licensure examination.

1013 (3) The initial license fee may ~~shall~~ not exceed \$100.

1014 (4) The biennial renewal fee may ~~shall~~ not exceed \$150.

1015 ~~(5) The fee for a certificate of authorization shall not~~
 1016 ~~exceed \$350 and the fee for renewal of the certificate shall not~~
 1017 ~~exceed \$350.~~

1018 (5)(6) The fee for reactivation of an inactive license may
 1019 ~~shall~~ not exceed \$50.

1020 (6)(7) The fee for a provisional license may ~~shall~~ not
 1021 exceed \$400.

1022 (7)(8) The fee for application, examination, and licensure
 1023 for a license by endorsement is ~~shall be~~ as provided in this
 1024 section for licenses in general.

1025 Section 36. Section 492.111, Florida Statutes, is amended

1026 to read:

1027 492.111 Practice of professional geology by a firm,
 1028 corporation, or partnership; ~~certificate of authorization.~~—The
 1029 practice of, or offer to practice, professional geology by
 1030 individual professional geologists licensed under the provisions
 1031 of this chapter through a firm, corporation, or partnership
 1032 offering geological services to the public through individually
 1033 licensed professional geologists as agents, employees, officers,
 1034 or partners thereof is permitted subject to the provisions of
 1035 this chapter, if ~~provided that~~:

1036 (1) At all times that it offers geological services to the
 1037 public, the firm, corporation, or partnership is qualified by
 1038 ~~has on file with the department the name and license number of~~
 1039 one or more individuals who hold a current, active license as a
 1040 professional geologist in the state and are serving as a
 1041 geologist of record for the firm, corporation, or partnership. A
 1042 geologist of record may be any principal officer or employee of
 1043 such firm or corporation, or any partner or employee of such
 1044 partnership, who holds a current, active license as a
 1045 professional geologist in this state, or any other Florida-
 1046 licensed professional geologist with whom the firm, corporation,
 1047 or partnership has entered into a long-term, ongoing
 1048 relationship, as defined by rule of the board, to serve as one
 1049 of its geologists of record. ~~It shall be the responsibility of~~
 1050 ~~the firm, corporation, or partnership and~~ The geologist of

1051 record shall ~~to~~ notify the department of any changes in the
1052 relationship or identity of that geologist of record within 30
1053 days after such change.

1054 ~~(2) The firm, corporation, or partnership has been issued~~
1055 ~~a certificate of authorization by the department as provided in~~
1056 ~~this chapter. For purposes of this section, a certificate of~~
1057 ~~authorization shall be required of any firm, corporation,~~
1058 ~~partnership, association, or person practicing under a~~
1059 ~~fictitious name and offering geological services to the public;~~
1060 ~~except that, when an individual is practicing professional~~
1061 ~~geology in her or his own name, she or he shall not be required~~
1062 ~~to obtain a certificate of authorization under this section.~~
1063 ~~Such certificate of authorization shall be renewed every 2~~
1064 ~~years.~~

1065 (2)~~(3)~~ All final geological papers or documents involving
1066 the practice of the profession of geology which have been
1067 prepared or approved for the use of such firm, corporation, or
1068 partnership, for delivery to any person for public record with
1069 the state, shall be dated and bear the signature and seal of the
1070 professional geologist or professional geologists who prepared
1071 or approved them.

1072 (3)~~(4)~~ Except as provided in s. 558.0035, the fact that a
1073 licensed professional geologist practices through a corporation
1074 or partnership does not relieve the registrant from personal
1075 liability for negligence, misconduct, or wrongful acts committed

1076 | by her or him. The partnership and all partners are jointly and
1077 | severally liable for the negligence, misconduct, or wrongful
1078 | acts committed by their agents, employees, or partners while
1079 | acting in a professional capacity. Any officer, agent, or
1080 | employee of a corporation is personally liable and accountable
1081 | only for negligent acts, wrongful acts, or misconduct committed
1082 | by her or him or committed by any person under her or his direct
1083 | supervision and control, while rendering professional services
1084 | on behalf of the corporation. The personal liability of a
1085 | shareholder of a corporation, in her or his capacity as
1086 | shareholder, may be no greater than that of a shareholder-
1087 | employee of a corporation incorporated under chapter 607. The
1088 | corporation is liable up to the full value of its property for
1089 | any negligent acts, wrongful acts, or misconduct committed by
1090 | any of its officers, agents, or employees while they are engaged
1091 | on behalf of the corporation in the rendering of professional
1092 | services.

1093 | ~~(5) The firm, corporation, or partnership desiring a~~
1094 | ~~certificate of authorization shall file with the department an~~
1095 | ~~application therefor, upon a form to be prescribed by the~~
1096 | ~~department, accompanied by the required application fee.~~

1097 | ~~(6) The department may refuse to issue a certificate of~~
1098 | ~~authorization if any facts exist which would entitle the~~
1099 | ~~department to suspend or revoke an existing certificate of~~
1100 | ~~authorization or if the department, after giving persons~~

1101 ~~involved a full and fair hearing, determines that any of the~~
1102 ~~officers or directors of said firm or corporation, or partners~~
1103 ~~of said partnership, have violated the provisions of s. 492.113.~~

1104 Section 37. Subsection (4) of section 492.113, Florida
1105 Statutes, is amended to read:

1106 492.113 Disciplinary proceedings.—

1107 (4) The department shall reissue the license of a
1108 disciplined professional geologist ~~or business~~ upon
1109 certification by the board that the disciplined person has
1110 complied with ~~all of~~ the terms and conditions set forth in the
1111 final order.

1112 Section 38. Section 492.115, Florida Statutes, is amended
1113 to read:

1114 492.115 Roster of licensed professional geologists.—A
1115 roster showing the names and places of business or residence of
1116 all licensed professional geologists and all properly qualified
1117 firms, corporations, or partnerships practicing holding
1118 ~~certificates of authorization to practice~~ professional geology
1119 in the state shall be prepared annually by the department. A
1120 copy of this roster must be made available to ~~shall be~~
1121 ~~obtainable by~~ each licensed professional geologist and each
1122 firm, corporation, or partnership qualified by a professional
1123 geologist holding a certificate of authorization, and copies
1124 thereof shall be placed on file with the department.

1125 Section 39. Paragraphs (j) and (k) of subsection (2) of

1126 section 548.003, Florida Statutes, are redesignated as
 1127 paragraphs (i) and (j), respectively, and paragraph (i) of that
 1128 subsection is amended to read:

1129 548.003 Florida State Boxing Commission.—

1130 (2) The Florida State Boxing Commission, as created by
 1131 subsection (1), shall administer the provisions of this chapter.
 1132 The commission has authority to adopt rules pursuant to ss.
 1133 120.536(1) and 120.54 to implement the provisions of this
 1134 chapter and to implement each of the duties and responsibilities
 1135 conferred upon the commission, including, but not limited to:

1136 ~~(i) Designation and duties of a knockdown timekeeper.~~

1137 Section 40. Subsection (1) of section 548.017, Florida
 1138 Statutes, is amended to read:

1139 548.017 Participants, managers, and other persons required
 1140 to have licenses.—

1141 (1) A participant, manager, trainer, second, ~~timekeeper,~~
 1142 referee, judge, ~~announcer,~~ physician, matchmaker, or promoter
 1143 must be licensed before directly or indirectly acting in such
 1144 capacity in connection with any match involving a participant. A
 1145 physician approved by the commission must be licensed pursuant
 1146 to chapter 458 or chapter 459, must maintain an unencumbered
 1147 license in good standing, and must demonstrate satisfactory
 1148 medical training or experience in boxing, or a combination of
 1149 both, to the executive director before working as the ringside
 1150 physician.

1151 | Section 41. This act shall take effect July 1, 2017. |